

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JACOB B. HOWALD,**

**Petitioner,**

**v.**

**CASE NO. 2:09-CV-00487**

**JUDGE GREGORY L. FROST**

**MAGISTRATE JUDGE E.A. PRESTON DEAVERS**

**EDWARD T. SHELDON, Warden,**

**Respondent.**

**OPINION AND ORDER**

On January 10, 2011, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation* and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE